

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

STEPHANIE SIMS,

CIVIL NO. 18-484 (PAM/SER)

Plaintiff,

v.

PRETRIAL SCHEDULING ORDER

MET COUNCIL, METRO TRANSIT, AND
AMALGAMATED TRANSIT UNION LOCAL 1005,

Defendants.

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court, and in order to secure the just, speedy, and inexpensive determination of this action, the following schedule shall govern these proceedings. The schedule may be modified only upon formal motion and a showing of good cause as required by Local Rule 16.3.

PLEADINGS AND DISCLOSURES

September 28, 2018

All pre-discovery disclosures required by Rule 26(a)(1), including production of documents, shall be completed on or before this date. Any disputes regarding pre-discovery disclosures shall be called immediately to the Court's attention by making an appropriate motion, and shall not be relied upon by any party as justification for not adhering to this Pretrial Scheduling Order.

October 1, 2018

All motions which seek to amend the pleadings or add parties must be served and filed on or before this date, and shall include a redlined version reflecting the changes contained in the proposed amended pleading. This deadline does not apply to motions which seek to

amend the complaint to add a claim for punitive damages. Such motions must be brought on or before the non-dispositive motion deadline.

DISCOVERY AND NON-DISPOSITIVE MOTIONS

No more than **25** Interrogatories (counted in accordance with Rule 33). Each party shall take no more than **Seven (7)** (excluding expert witness) depositions. The parties anticipate the need for expert depositions, and reserve the right to take one expert deposition per party. Plaintiff shall identify expert witnesses and submit written expert reports on or before **March 1, 2019**. Defendants shall identify expert witness and submit written expert reports on or before **April 1, 2019**.

May 1, 2019

All discovery of any kind, including expert depositions, shall be commenced in time to be completed by this date. Each party shall fully supplement all discovery responses quarterly in accordance with Fed. R. Civ. P. 26(e). Any evidence responsive to a discovery request that has not been disclosed before the trial date, except for good cause shown, shall be excluded from evidence at trial.

May 1, 2019

All non-dispositive motions and supporting documents, including those which relate to discovery and any request for extension of this Pretrial Scheduling Order, shall be served, filed, and HEARD by this date. Prior to scheduling any non-dispositive motion, the parties are encouraged to consider whether the motion, including motions relating to discovery and scheduling, can be informally resolved through a telephone conference with Magistrate Judge Steven E. Rau. To the extent that formal discovery motions will be filed,

non-dispositive motions may be scheduled for hearing by calling Melissa Erstad, Calendar Clerk to Magistrate Judge Rau, at 651- 848-1620. A reply memorandum not exceeding 1750 words (including footnotes) may be delivered to opposing counsel and the chambers of Magistrate Judge Rau no later than 9 a.m. on the business day preceding the hearing, so long as the total word count for the original and reply memorandum does not exceed 12,000 words. All non-dispositive motions shall be scheduled, filed, and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rules 7.1 and 37.1. When a motion, response, or reply brief is filed on ECF, one paper courtesy copy of the pleading and all supporting documents shall be mailed or delivered to Calendar Clerk, Melissa Erstad, contemporaneously with the documents being posted on ECF.

SETTLEMENT CONFERENCE, DISPOSITIVE MOTIONS, AND TRIAL

July 1, 2019

All dispositive motions shall be served, filed, and fully briefed by this date. Counsel for the moving party shall call Jackie Phipps, Calendar Clerk to Judge Paul A. Magnuson, at 651-848-1156 to schedule the hearing. All dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rule 7.1. When a motion, response, or reply brief is filed on ECF, two paper courtesy copies of the pleading and one paper courtesy copy of all supporting documents shall be mailed or delivered

to Calendar Clerk, Jackie Phipps, contemporaneously with the documents being posted on ECF. Counsel is forewarned that six to eight weeks advance notice is necessary to place a dispositive motion on the calendar.

September 1, 2019

This case shall be ready for JURY trial by this date. The parties estimate that trial of this matter will take Three (3) days.

Dated: **August 14, 2018**

s/ Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge

Discovery Cut-Off
May 1, 2019

Non-Dispositive Motions
May 1, 2019

Dispositive Motion Ends
July 1, 2019

Jury Trial Date
September 1, 2019